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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Cleveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10981247-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

#11
5/19/03

Inventor(s): Robert W. Dmitroca

Serial No.: 09/456,603

Examiner: S. Willett

Filing Date: 12-08-1999

Group Art Unit: 2141

Title: METHOD AND APPARATUS FOR MANAGING PERFORMANCE DATA ABOUT A NETWORK

05/19/2003 DTESEM1 00000136 09456603
01 FC:1253 930.00 CH
02 FC:1401 320.00 CH

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

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Technology Center 2100

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 11-22-2003, rejecting the following claims 1-20

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$320.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/> one month	\$110.00
<input type="checkbox"/> two months	\$410.00
<input checked="" type="checkbox"/> three months	\$930.00
<input type="checkbox"/> four months	\$1450.00

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Sale Ref: 00000136 DAB: 062380 09456603
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(a) The extension fee has already been filed in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 06-2380 the sum of \$1250.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 06-2380 pursuant to 37 CFR 1.25.

(X) A duplicate copy of this transmittal letter is enclosed.

EV25597774US

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit:

05-15-2003

Typed Name:

John Pallivathukal

Signature:

Respectfully submitted,

Robert W. Dmitroca

By

Michael A. Papalas

Attorney/Agent for Applicant(s)

Reg. No. 40,381

Date: 05-15-2003